

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

IN RE: BENICAR (OLMESARTAN)  
PRODUCTS LIABILITY LITIGATION

\* CIVIL NO. 15-2606 (RBK)(JS)

\* HON. ROBERT B. KUGLER

THIS DOCUMENT RELATES TO  
ALL ACTIONS

\* HON. JOEL SCHNEIDER

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CASE MANAGEMENT ORDER NO. 13

This matter having been the subject of extensive conferences between the parties and the Court, and for good cause shown,

IT IS HEREBY ORDERED, with consent of all Parties:

Custodians

1. The Daiichi U.S. and Forest Defendants' custodians whose documents will be the subject of collection, review and production are listed in Exhibit A, which represents a combination of individuals requested by the plaintiffs and individuals selected by the defendants.

2. No further additions may be made to the list of custodians on Exhibit A absent a showing of good cause.

Search Terms

3. The list of English and Japanese search terms to which the parties have agreed is attached hereto as Exhibit B.

4. No further additions may be made to the list of search terms on Exhibit B absent a showing of good cause.

DSC Custodians

5. Plaintiffs may identify a reasonable number of proposed additional custodians for Daiichi Sankyo Company, Limited, in addition to the 55 DSC custodians previously identified, by October 19. The parties shall then meet and confer regarding the names of additional DSC custodians. The parties shall submit an agreed-upon list or file simultaneous letters regarding the reasonable number of proposed additional custodian by October 26, and the Court shall thereafter enter an order finalizing the list of DSC custodians.


ESI Issues

6. Calendar data for the 86 Daiichi U.S. and Forest custodians and 55 DSC custodians previously identified will not be re-collected or re-produced under the terms of this Order. Regarding calendar entries for custodian collections other than the 86 Daiichi U.S. and Forest custodians and 55 DSC custodians previously identified, calendar entries will be extracted from both personal-storage-table (PST) files and off-line-storage-table (OST) files stored locally in the active file system on the computer assigned to a custodian. These extracted calendar items shall be searched for production using the agreed-upon search terms set forth in Exhibit B.

7. File type data for the 86 Daiichi U.S. and Forest custodians and 55 DSC custodians previously identified will not be re-collected or re-produced under the terms of this Order. Regarding file types for custodian collections other than the 86 Daiichi U.S. and Forest custodians and 55 DSC custodians previously identified, files stored locally in the active file system on the computer assigned to a custodian will be compared to the list of known system and executable files from the National Institute of Standards and

Technology (NIST). In addition, the files will be compared to a list of known files found on Daiichi U.S. and Forest computers with a clean or new load set. Only those files not matching one of the file types on either list will be extracted. The remaining files shall be searched for production using the agreed-upon search terms set forth in Exhibit B.

Camden, New Jersey, this 20<sup>th</sup> day of October, 2015.

  
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Hon. Joel Schneider  
United States Magistrate Judge